

C.2.Attachment # 3Page 1 of 2**TICPD****MEMORANDUM***Tallahassee-Leon County
Planning Department*

To: Tallahassee-Leon County Planning Commission
Through: Jean Gregory, Interim Comprehensive and Environmental Planning Division Chief
From: Kristen A. Andersen, Senior Planner *KA*
Date: April 13, 2004
Subject: Consistency Review for County Sunsetting of Vested Rights Ordinance

Introduction and History

An ordinance is being proposed by the Leon County Growth Management Department that would amend the Leon County Land Development Regulations to institute the sunsetting of traffic concurrency vested rights for un-built residential development projects. If the proposed change were to be approved, non-residential developments would essentially be unaffected. Similarly, those applying for single-family residential building permits would not be affected by concurrency.

This amendment to the County's Land Development Regulations was initiated during the 2003-1 amendment cycle. At that time, an amendment to the Comprehensive Plan was approved that temporarily lowered the adopted level of service standard for Capital Circle NW from D to E in anticipation of a major roadway widening project. This level of service standard was lowered in conjunction with direction from the Commissions to implement a program of sunsetting vested trips within the County. The intent was to alleviate some of the concurrency related constraints caused to some degree by older projects that have not materialized over the years.

Consistency Determination

The proposed changes to the County's Land Development Regulations do not conflict with any Comprehensive Plan goals, objectives or policies. This is due to the fact that the proposed ordinance only removes "phantom" trips from the County's concurrency management system and the sunsetting of these vested trips does not interfere with any policies related to achievable densities or intensities of development. The Comprehensive Plan also does not contain any specific policies related to the elimination of vested traffic concurrency rights.

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Staff recommends that the Local Planning Agency find this ordinance amending the County's Land Development Regulations consistent with the Comprehensive Plan.

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TOTAL P.03